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ABSTRACT

These transcripts feature statements and testimony from a Senate hearing on gun-related violence among school children. Opening statements by judiciary committee members Joseph R. Biden, Paul Simon, Herbert Kohl, Strom Thurmond, and John H. Chaffee offer statistics and anecdotes about the increasing presence of guns on school campuses, the incidence of accidental and intentional shootings and suicides by children, and the impact of drugs and gangs. Testimony was presented by panel members: (1) Jack Vinokur from the Brandywine School District in Wilmington, Delaware, who explained the school district's student code of conduct regarding the possession of weapons and the background to the policy's development; (2) Lieutenant Thomas Byrne of the Chicago Police Department School Patrol Unit, who offered information on how children obtain firearms, why they carry guns to school, and how gangs impact children; and (3) Ronald Stephens of the National School Safety Center in California, who offered additional anecdotes about violence involving children, presented statistics on school crime and violence, suggested that children obtain guns primarily from home, provided an essay by a student about weapons at school, and discussed the influence of drugs and gangs on the proliferation of guns in school. In addition, Stephens suggested 15 ways in which Congress and local communities can respond to the problem. An appended statement by Michael K. Beard, president of the Coalition to Stop Gun Violence, proposes that reduced, and eventually banned, access to handguns is the most effective solution to gun violence. (AC)

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S. HRG. 102-1067

CHILDREN CARRYING WEAPONS: WHY THE RECENT INCREASE

ED 364 326

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HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

SECOND SESSION

ON

THE POSSESSION OF WEAPONS AMONG CHILDREN AND THE PRESENCE OF THESE WEAPONS IN OUR SCHOOLS

OCTOBER 1, 1992

Serial No. J-102-88

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CHILDREN CARRYING WEAPONS: WHY THE RECENT INCREASE

THURSDAY, OCTOBER 1, 1992

U.S SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committee met, pursuant to notice, at 2:20 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Joseph R. Biden (chairman of the committee) presiding.

Present: Senators Biden, Simon, Thurmond, and Brown.

OPENING STATEMENT OF CHAIRMAN BIDEN

The CHAIRMAN. The hearing will come to order.

I apologize both to my colleagues and to all the witnesses for the late start. As my colleague from Rhode Island knows, I was attempting to do the Lord's work on a judiciary matter, and I'm not sure it was accomplished, but I was not failing to understand that there were a lot of people here, waiting to testify, and we appreciate you all being here.

Today's hearing continues a series of Judiciary Committee hearings and committee staff studies on the issue of violence in America. Nearly 2 years ago, this committee was one of the first to identify and study the rising tide of murder and violence sweeping the United States.

Today, the committee examines an ominous new trend of violence in America, the shocking rise of guns and weapons among our children—not among our young adults, not among 17 and 18 year-olds necessarily, but among our children, children with guns.

I would note parenthetically, when I first got here on this committee as a young—I used to be young—member and the chairman of the Criminal Law Subcommittee we had a startling new finding in the seventies, that most of the violence, and current violent crime committed in America was being committed by people between the ages of 17 and 19. And we thought my God. And today we find that the average, for example, first-time crack user in New York City is 10 years old—10 years old.

So all of us are too familiar with the dreadful path of destruction that the drug epidemic beats across the Nation, and each successive outbreak of drugs and drug trafficking has brought more violent criminals and more guns to our streets and to our neighborhoods.

Los Angeles, considered the gang capital of the country, has an estimated 925 gangs, with 100,000 young people involved. But it

does not stop there. Gangs have reached into every corner of the country. According to the Justice Department, gangs with links to the Nation's two most notorious gangs, the Bloods and the Cripps, are in all 50 States. These gangs are involved in all facets of criminal behaviors, including illegal trafficking in drugs. And just as drugs have found their way into the hands of children, so have guns. One hundred thirty-five thousand children are carrying guns to school every single day; 135,000 children carrying guns to school every day. And one in five kids have carried a deadly weapon to school in the last month.

The most recent data from across the Nation released by this committee today indicates a shocking nationwide increase in guns among our children. Just 2 weeks ago in Alamo, TX, a 17-year-old boy who had gotten into a fight opened fire in a high school hallway while students were returning from a pep rally. His blaze of gunfire wounded six students, and another student was trampled in the ensuing stampede.

Unfortunately, this story is not exceptional. On any given day, you can find a harrowing, unbelievable story like this in most major newspapers, and often in small-town newspapers.

In reaction to these reports from schools across the Nation that gun violence by children was on the rise, I directed the majority staff of the Judiciary Committee to undertake a comprehensive survey of the problem. My staff contacted 50 of the Nation's largest school districts and turned up some terrifying evidence. Today I am releasing the results of this survey.

These results offer a grim picture—more children are carrying weapons; more children are using weapons; and more children are being victimized by weapons.

As the committee data indicates, the increase is truly national in scope, hitting cities of every size in every region of the country. For example, between the 1989 and 1990 school year, and the 1991 and 1992 school year, 25 school districts experienced a 20 percent increase in the number of weapons incidents. Nineteen districts had an increase of over 50 percent, and seven districts had an unbelievable increase of over 100 percent.

Of course, it is critical that we recognize that while the available information on weapons carried by children is from schools, the rise in our schools simply reflects the change going on in our neighborhoods, not just our schools. The schools are not to blame for this, in my view.

Today the committee will examine the latest information with the help of several experts, including law enforcement and education officials from the front lines, as well as from one of the leading national experts on the rise of violence in our schools.

As the witnesses will testify, and other national experts have told this committee, the rise of guns and violence among our children is real, shocking, and as horrible as any threat facing our Nation's youth. In fact, as our witnesses will testify, the numbers we release today are only part of the story, for not only is there a rise in the numbers, but there is also a rise in the severity of the violence.

What are the root causes of this shocking rise in the use of guns by children? As you will hear today, the rising number of children

obtaining and carrying guns can be traced to a few key causes. First, drugs—not only by putting more guns on the street, but by putting more money in the hands of teen dealers who buy these expensive, high-powered weapons now that they have a source of income. Second, gangs. The violent street gangs have not only armed their own members, but they also become the gun traffickers, putting even more guns on the streets and in the hands of children. And third, what is called the John Wayne syndrome. In other words, the terrifying cycle that results when children arm themselves to protect themselves from other children who are already carrying arms by whom they are fearful they will become the victims.

While the latest information from America's cities offers a dim view of today, there is no reason that we cannot reverse this trend for tomorrow. Congress has enacted and introduced a number of programs to battle this problem, like Senator Kohl's Gun-Free School Act passed in the 1990 crime bill, and the antigang initiative I introduced designed to help combat violent juvenile drug trafficking and gang activity.

Senator Chafee, who is going to be our first witness today, also introduced legislation to address the problem of guns in our schools.

But no matter how many bills Congress introduces or passes, nothing will be done until we can reach those children and show them that drugs lead down a perilous path that all too often ends up in death. Parents, teachers, law enforcement, business leaders and politicians must work to save the future of our Nation, and by saving our children, and one of the ways to do that is to deal with this gun problem.

In closing, I believe that the first look at the massive rise of guns and violence among our children must serve as a wakeup call for this Nation and a wakeup call for action. We cannot delay any longer. We must address the crisis of our children, and do everything we can to make sure that the gunshots of this school year are silenced in the next school year.

I yield to my friend from Illinois, who has another very important meeting he must attend, but one who has had a compelling and long interest in dealing with the problems facing our children with drugs and violence.

Senator Simon.

OPENING STATEMENT OF SENATOR SIMON

Senator SIMON. I thank you, Mr. Chairman. I thank you for your leadership and your concern in this area, and I want to commend Senator Chafee for the same.

Interestingly, as I just told Lieutenant Byrne, the meeting that some people are waiting for me right now is with Vince Lane, who heads the Chicago Housing Authority, and some Federal officials, and I have an idea we are going to be talking about some of the same problems we are talking about in here.

One of the more basic problems is obviously that you show me an area that has high unemployment, and I'll show you an area with high crime. You show me an area with poor-quality schools, and I'll

show you an area of high crime. But having said that, that's too easy an out to say we can't be doing something, and there are obviously a lot of pieces to the mosaic.

And I regret that I'm going to have to leave because of these other meetings, but I think there are, among other things, these factors. One is the television violence. And I am pleased to say that this committee passed out and Congress passed a bill giving the television industry the authority to come together and not violate antitrust laws and have standards on television violence. This was a year and a half ago, and we gave them a 3-year time period. I am pleased to say there is some progress being made. It is not evident yet on our TV screens, but there is some evidence that maybe we're going to have some solid progress here.

We have the most violent television of any nation on the Earth, and it is very interesting, the June issue of the Journal of the American Medical Association has a study done by the University of Washington—I have forgotten the name of the psychiatrist who led the study—but it suggests that half the violence in our society, half the murders, half the rapes, half the assaults, have been caused by the cultural acceptance of violence that has come through television. What they have done is to follow when television comes into a society and then, 12 or 15 years later, what happens. So there is no question that television violence is a factor.

Gun control is a factor. And I have to say I have not read Senator Chafee's bill, but I am going to look at it as soon as I have a chance. The Brady bill, where we have a 6-day waiting period for buying a handgun, that's just common sense, and we simply have to be standing up to groups like the National Rifle Association and saying we are going to control this thing.

The drug problem—here, I think there has been a tendency—and you and I have worked on this, Mr. Chairman—there has been a tendency to look to just locking people up as the answer. I remember talking to your former superintendent, Lieutenant Byrne, Superintendent Martin, and visiting with Tony Volukas. I spent one day with Federal and local officials on the drug problem, and the first thing both Tony and Superintendent Martin told me was that the big answer has to be through education, that we just can't do it through law enforcement alone.

And then, obviously, the gang problem, which combines a lot of these factors.

What we have now is a snowball that is going in the wrong direction. Even if we pass John Chafee's bill, we are not going to change things dramatically overnight. What we can do is to get that snowball going in the right direction.

When I look at your statistics here, Mr. Chairman, I see Chicago up there 171 percent. That either—and I'm not sure which it is—either is a reflection of the immensity of the problem or the significance of the effort of the police department in securing weapons. It may be a little bit of both.

But clearly, we have a problem. In the State of Illinois, this study by Ronald Stephens, who is going to testify here today, shows that 1 in 12 public high school students reported being the victim of a physical attack in school or on the way to school; 1 in 12 also

said they had stayed home from school 1 or more days out of fear. We have a problem.

I applaud you for holding the hearing, and I look forward to hearing what goes on here today from my staff, who is here. I appreciate what you are doing.

Thank you, Mr. Chairman.

The CHAIRMAN. At this time I wish to place a prepared statement by Senator Kohl in the record.

[The prepared statement of Senator Kohl follows:]

OPENING STATEMENT OF SENATOR HERB KOHL
JUDICIARY COMMITTEE HEARING ON
"CHILDREN AND WEAPONS"
OCTOBER 1, 1992

I WANT TO THANK CHAIRMAN BIDEN FOR CALLING THIS HEARING ON SUCH A TIMELY AND SERIOUS MATTER -- THE POSSESSION OF WEAPONS AMONG OUR CHILDREN AND THE PRESENCE OF THESE WEAPONS IN OUR SCHOOLS. HE HAS BEEN A LEADER ON THESE FOR MANY YEARS.

MORE THAN 10,000 MURDERS IN 1991 WERE COMMITTED WITH GUNS -- THAT'S A 20 PERCENT INCREASE OVER 1987 GUN-RELATED KILLINGS. AND GUNS WERE USED IN MORE THAN 600,000 VIOLENT CRIMES LAST YEAR. THIS RAMPANT VIOLENCE AND DISREGARD FOR HUMAN LIVES IS OBVIOUS AND FRIGHTENING, AND WE ARE PASSING THIS COLD-BLOODED LEGACY ON TO OUR CHILDREN.

ACROSS THE COUNTRY, TEENS HAVE BROUGHT GUNS TO SCHOOL AND ACCIDENTALLY DISCHARGED THEM, INJURING THEMSELVES OR OTHERS. IN FACT, ACCORDING TO THE NATIONAL SCHOOL SAFETY CENTER, NEARLY THREE MILLION CRIMES OCCUR ON OR NEAR SCHOOL PROPERTY EVERY YEAR. AND MORE THAN 100,000 STUDENTS CARRY GUNS TO SCHOOL EVERY DAY. AS A RESULT OF THESE ALARMING INCIDENTS, ONE-FOURTH OF OUR NATION'S SCHOOLS ARE USING METAL DETECTORS. SOME STATES HAVE "BULLET DRILLS," WHERE STUDENTS ARE TAUGHT TO LIE DOWN WHEN THEY HEAR GUNFIRE.

TO HELP PREVENT OUR SCHOOL GROUNDS FROM BECOMING BATTLEGROUNDS, WE NEED TO MOVE ON SEVERAL FRONTS. FIRST, THE

SCHOOLS MUST EMPOWER THEMSELVES AND TAKE IMMEDIATE ACTION.

LOCAL SCHOOL OFFICIALS ARE GRAPPLING WITH MYRIAD SOLUTIONS IN DETERMINING WAYS TO RID SCHOOLS OF HANDGUNS AND OTHER WEAPONS. THESE SOLUTIONS RANGE FROM SCHOOL-PATROLLING COPS TO METAL DETECTORS IN THE SCHOOLS TO PREVENTIVE, PEER-COUNSELING PROGRAMS. I HOPE THAT TODAY'S HEARING WILL EDUCATE EVERYONE ON JUST HOW PREVALENT WEAPONS ARE IN A PLACE WHERE CHILDREN SHOULD USE THEIR MINDS TO SOLVE PROBLEMS -- NOT A GUN OR A KNIFE. WE NEED TO ASK OURSELVES HOW CHILDREN CAN LEARN WHEN THEY ARE AFRAID BEING HARMED BY A FELLOW STUDENT, OR WHEN THEY FEEL SO HOPELESS ABOUT THE CIRCUMSTANCES LIFE HAS GIVEN THEM THAT THEY MUST STRIKE OUT AGAINST ANOTHER WITH A WEAPON.

A STUDY OF PRISON INMATES BY THE WASHINGTON POST EARLIER THIS YEAR REVEALED THAT THE MEN WERE ABLE TO OBTAIN GUNS EASILY THROUGH THE BLACK MARKET, AND THEY HAD LITTLE REMORSE ABOUT TAKING ANOTHER INDIVIDUAL'S LIFE. ONE MAN SAID HE GOT HIS FIRST GUN WHEN HE WAS 11 YEARS OLD.

SECONDLY, WE NEED TO CONSIDER SPECIFIC SOLUTIONS TO THE PROBLEM OF CHILDREN WITH WEAPONS. WE HAVE BABIES CARRYING WEAPONS JUST LIKE WE HAVE BABIES HAVING BABIES, AND MY CONCERN FOR THE YOUNGSTERS WHO FACE POSSIBLE VIOLENCE, INJURY AND EVEN DEATH RUNS DEEP. IN 1990, I SPONSORED THE GUN FREE SCHOOL ZONES ACT OF 1990, MAKING IT A FEDERAL CRIME TO BRING OR FIRE A GUN WITHIN 1,000 FEET OF A SCHOOL. THIS MEASURE WAS ADOPTED AS PART OF THE OMNIBUS

CRIME BILL.

AND THIRDLY, WE SHOULDN'T NEGLECT TO LOOK AT THIS PROBLEM IN ITS GENERALITY -- TO STUDY THE BIG PICTURE. WITH SENATORS MITCHELL AND GORE, I SPONSORED A COMPROMISE AMENDMENT TO THE BRADY BILL. THE SENATE HAS PASSED THE AMENDMENT, WHICH CALLS FOR A FIVE-BUSINESS-DAY WAITING PERIOD FOR AN PERSON WHO BUYS A HANDGUN AND A MANDATORY BACKGROUND CHECK OF ALL GUN BUYERS. THE BRADY BILL, WHICH WILL HELP TAKE GUNS OUT OF THE HANDS OF DRUG DEALERS AND OTHER CRIMINALS IS SUPPORTED BY MORE THAN 90 PERCENT OF THE AMERICAN PUBLIC.

WITH GANG, DRUG AND OTHER CRIMINAL ACTIVITY ON THE RISE, IT'S CLEAR THAT WE ARE BECOMING A MORE VIOLENT SOCIETY. WE NEED TO CONTROL THE FLOW OF WEAPONS THAT ARE FALLING INTO THE WRONG HANDS -- INCLUDING THE HANDS OF YOUNGSTERS. WE NEED TO KEEP OUR CHILDREN SAFE IN OUR SCHOOLS SO THEY CAN LEARN TO BECOME PRODUCTIVE ADULTS AND SEEK MATURE, RATIONAL WAYS TO SOLVE THEIR PROBLEMS. BY ALLOWING GUNS IN SCHOOLS AND ALLOWING YOUNGSTERS TO LIVE IN FEAR OF THEIR LIVES ON A DAILY BASIS, WE'RE NOT OFFERING THEM MUCH HOPE FOR THE FUTURE.

AGAIN, I THANK CHAIRMAN BIDEN FOR HIS FORESIGHT IN PROVIDING THIS FORUM TO HIGHLIGHT A GRAVE PROBLEM IN OUR SOCIETY.

The CHAIRMAN. Thank you very much, Senator.

We had a hearing here not long ago when I issued a report on the murder rate, and I indicated that in 1991 there would be more murders in the year 1991 than any year in the history of the United States of America, and then issued the same report in 1992, and unfortunately, in both cases—and 1992 is not finished—it turned out to be right. There have been 71,000 murders in 3 years, 71,000 murders.

We asked in here, the medical heads, doctors, physicians, of three of the four largest emergency hospitals in America, trauma centers, and I asked them is it because more people are being shot; is that why the murder rate is up so much? It seems like a silly question. Obviously, yes. The doctor for the largest hospital, a woman doctor who had been in the business in that hospital for some time, 17 years, I think, said:

> Senator, we have one of the finest trauma units in the world. There are more victims of gunshot wounds who come in. But it used to be when someone came in, they may have a .22-caliber slug lodged in their lung, or even in their brain, or in their heart, and we had a chance of saving them. So they were victims of a gunshot wound; they did not die.
>
> Now, Senator, we do not see single gunshot wounds anymore. All of the victims who come into my hospital have gunshot wounds that start at the knee and usually end around the neck. And there is nothing lodged in any organ. The organ is blown out of the body cavity, because instead of a .22-caliber bullet being lodged in the lung, a .45-caliber bullet blows the lung out of the body.

And they are all multiple-shot wounds.

Senator Chafee, let me, by way of introduction, suggest to you that you are a man who is greatly respected by our colleagues on both sides of the aisle for your integrity and also for your courage and your willingness to take on, in the form of the bill that you have introduced, not only the NRA, but leaving yourself open to what will clearly be a significant misrepresentation of your position. By the time you are finished, you will have every hunter and fisherman in the State of Rhode Island convinced, through other publications who are upset with you, that you not only want to do something about handguns, but that you wish to confiscate every shotgun, every hunting rifle, every target rifle, and every fishing rod in the State. I promise you that's going to happen to you.

I'm the new fundraising source for the NRA—I guess they got tired of using Kennedy and Metzenbaum—but I have the feeling I am shortly going to be replaced by you.

But having said that, I welcome you, and I thank you for your leadership and your courage and your indulgence in listening to me and my colleague from Illinois.

The floor is yours, Senator Chafee.

STATEMENT OF HON. JOHN H. CHAFEE, A U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator CHAFEE. Thank you very much, Mr. Chairman.

In starting off, I want to commend you for what you are doing here in turning the spotlight on this terrible problem. Obviously, when you and your committee and the able staff you have look into this subject, it provokes interest and turns national attention to the issue.

I would just like to briefly comment on what you said when you talked about the devastation out there. If you look at what is happening, you'll see an entire generation of young black men are being eliminated in our society. They are being shot to death.

Before I got into this, I hadn't realized the extraordinary impact that guns are having on Americans, and particularly on American children, which is the focus of this hearing today. Virtually every aspect of a child's life is being affected, whether it is at home or at school or in parks or playgrounds, or riding in the schoolbus.

Often, these handguns that the children wind up with come from their homes, where they have been put away carefully, or not so carefully, for protection.

The Centers for Disease Control reports that 500 American children die every year as a result of accidental shootings. The guns are kept in the house for protection, loaded, within easy reach, and the result is murderous for children.

Just a few examples, and these are really stunning, Mr. Chairman. In January 1991, a 3-year-old Seattle toddler found his mother's .38-caliber revolver under her pillow. The toddler then accidentally shot his 2-year-old brother in the stomach.

In May of this year, while his parent slept upstairs, a Chicago 3-year-old found a loaded .25-caliber semiautomatic handgun on a closet shelf, with which he fatally shot himself a few minutes later.

Last Saturday in Brooklyn, NY, a 9-year-old playing with an automatic handgun he thought was empty and had found in his house, fatally shot his cousin, age 12, in the head.

Guns kept in homes affect our children in another way: suicide. These statistics are extraordinary. For children age 15 to 19, suicide now is the second leading cause of death. Study after study shows an important risk factor in teen suicide is the availability of a gun, and handguns are particularly popular. In fact, statistics show that the odds that a suicidal teen will kill him or herself, go up a whopping 75-fold if a gun is available in the home.

What I am saying here is that plenty of youngsters have suicidal thoughts, thinking: "I'm going to commit suicide." But if there is a gun available in the home, the chances of that child actually committing suicide are increased by 75-fold.

It is not just in the home that children see guns. Children are matter-of-factly bringing guns to school as if they are lunchboxes; that is what you touched on in your opening statement, Mr. Chairman.

Can children get guns? More than 30 percent of 8th and 10th graders interviewed nationwide said that, yes, they could get a handgun. These are 8th, 9th, and 10th graders.

Do they take advantage of this access? According to the Centers for Disease Control, an estimated 1 in 20 high school students have carried a gun at least once in the past month. Approximately 135,000 children carry guns to school every day. I found that bedazzling, a statistic like that—135,000 children carry guns to school every day!

It is a recipe for disaster. In my home State in April, a 15-year-old was caught with a handgun in school after waving it around the school hallway. And recently, that Amarillo, TX, school shootout that you yourself mentioned.

Here we have impoverished school districts, which don't have any extra money, having to spend $4,000 for metal detectors. They also have to pay somebody to man them. Our Nation's schools are desperately short of funds already. The moneys they do have should be used for sports or other activities, better books, better maintenance of the schools, but instead it is necessary to spend it on metal detectors.

These horrible examples don't just occur at school or at home; they occur at play. You remember the incident here in the District of Columbia in August. Alain Colaco, 15 years old, was out weeding the front yard. A stranger came by, fired a handgun—he had never seen Alain before—he fired a handgun at him, hit him repeatedly, and the youngster died immediately.

In January, at a crowded Brooklyn playground, two children ages 11 and 13 were shot by a teen firing wild shots.

In June, two New York teens fooling around with "super-soakers," these super water pistols, were wounded by an angry passerby with a handgun who had been squirted with water.

Children are not safe even when they are riding the schoolbus. You might have read about the recent tragedy in New Haven, involving a 6-year-old riding in a schoolbus. The schoolbus happened to drive by with this youngster in it, coming home from school at lunchtime. He was just 6 years old—a kindergartener. A random bullet shot in a drug-related street fight hit him in the head. Fortunately, the youngster survived, but he was terribly injured.

We have got to remember also that while we see the statistics on gun-related deaths, for each and every death, there are those who are permanently and debilitatingly injured by gunshot wounds, at great cost. And if not physically injured, the whole experience certainly is a terrible psychological trauma.

Now, what should we do about this? I think, Mr. Chairman, that the principal problem is the easy availability of these weapons. There are now 67 million handguns in circulation in our society, with 2 million being added every year. This is twice as many as were available 20 years ago; twice as many handguns.

The population of the country is 240 million. You can figure out that 67 million means roughly one for every four citizens. Imagine: a handgun for every four people in the United States of America, and we are adding another 2 million handguns every year.

I am absolutely convinced, Mr. Chairman, that if this continues, sooner rather than later, every single family in the United States of America is going to be touched by handgun violence—maybe not the father or the mother or one of the children, but a cousin, a nephew, a niece—somebody is going to be affected in that immediate family.

Now, what to do about this. Some have suggested stiff laws saying that a father or a mother who has a handgun in the house, and that handgun is found and discharged by a child, that the parents will be subject to severe fines. That's an approach. The trouble is, who is going to go into the home to find out how safely the guns are stored and to police it, until the tragic incident occurs? Presumably, the parents have the handgun because they want self-protection. Hence, they will keep it loaded and easily available so they can shoot an intruder or robber. Thus, this idea of locking them up

directly contradicts why they have the gun. So I don't think that locking guns up will take place.

Another proposal is stiffer penalties or better registration for handguns. I don't think that is going to work either. As you pointed out, Mr. Chairman, I have introduced legislation that would just ban all handguns; no sale, possession, transfer. No handguns in the United States of America except for the police and the military, certain licensed security personnel, and certain licensed handgun sport shooters like target shooting clubs.

That's my legislation. Now, as you pointed out, Mr. Chairman, it has been subject to some controversy. I have been accused of just about everything in connection with it, except cutting people's Social Security; that has not been a charge associated with this legislation.

The CHAIRMAN. That will come, Senator. I don't know how, but it will come.

Senator CHAFEE. Well, I am expecting it soon.

But if somebody has a better solution, I'll back it. All I want to do is to do something about this slaughter that is taking place in our society.

As perhaps you know, I am intensely interested in health care, as you are, Mr. Chairman. Four billion dollars a year is attributed to health care costs to care for those who are injured by handguns. A statistic that perhaps you will be interested in and perhaps you already know is that in the State of Texas in 1990, there were more deaths from handguns than there were from automobile accidents.

The CHAIRMAN. I read that about a month ago in the Times or the Post, and I found that the single most incredible, startling statistic I have ever read.

Senator CHAFEE. I thought it was impossible.

The CHAIRMAN. So did I. I still wonder; I asked my staff to check it out, is that true, and apparently it is.

Senator CHAFEE. I was told it by a staff member, and I said that's nonsense, it's impossible. We know the slaughter that takes place on highways, and it is impossible that there could be more gunshot deaths in Texas in 1990 than there were from automobile accidents. But the statistic is true, apparently.

So Mr. Chairman, I just want to urge you on. It is wonderful that you are doing this. As I said, you are putting the spotlight on it, and you've got good witnesses here today. Regrettably, I have another commitment—and I'm late now—but I will be following what your committee does, and if there is any way that I could be helpful, I just want to assure you I would be.

[The prepared statement of Senator Chafee follows:]

TESTIMONY OF SENATOR JOHN H. CHAFEE
BEFORE THE SENATE JUDICIARY COMMITTEE
DURING HEARING ON "KIDS AND GUNS"
October 1, 1992

Thank you for this opportunity to testify.

Few of us -- including myself, until I had the opportunity to study this issue -- realize the extraordinary extent to which handguns impact Americans' lives. It is chilling, and appalling, to realize that increasingly these lives are those of young children.

Virtually every aspect of children's lives has been touched by handgun violence. Homes, schools, parks, playgrounds, streets, yards, cars, buses -- none any longer serve as safe havens for children. They are exposed just about wherever they go.

Often, handguns that wind up in youngsters' hands come from their homes -- with tragic results.

The numbers are chilling. **The Centers for Disease Control reports that more than 500 children die every year as a result of accidental shootings.** The gun kept in the house for protection -- and which therefore is loaded and within easy reach -- is murderous for children. Blessed with energy, a healthy dose of curiosity, and unexpected resourcefulness, children find these guns -- and end up in the emergency room.

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Some examples:

-- In January 1991, a 3-year-old Seattle toddler found his mother's .38 caliber revolver under her pillow; the toddler then accidentally shot his 2-year-old brother in the abdomen.

-- In May of this year, while his parents slept upstairs, a Chicago 3-year-old found a loaded .25 caliber semiautomatic handgun on a closet shelf with which he fatally shot himself ten minutes later.

-- Just last Saturday, another terrible incident: in Brooklyn, a 9-year-old, playing with an automatic handgun he thought was empty, fatally shot his cousin, age 12, in the head.

Guns kept in homes affect our children in another way: suicide. For children age 15-19, suicide now is the 2nd leading cause of death; **more than 2,000** kill themselves each year. This is a tragedy.

Study after study shows that an important risk factor in teen suicide is the availability of a gun -- and handguns are particularly popular. **No wonder the odds that suicidal teens will kill themselves go up a whopping 75-fold if a gun is available in the home.**

It is not just in the home that children see guns. Today, in nearly every state, children are matter-of-factly bringing guns to school as if they were lunchboxes.

Can children get guns? Yes. More than 30 percent of eighth- and tenth-graders interviewed nationwide say that yes, they could obtain a handgun. **Do children take**

advantage of this access to guns? Again, yes. According to the Centers for Disease Control, today an estimated 645,000 -- one in 20 -- high school students have carried a gun at least once in the past month.

And these guns end up in school. An estimated 135,000 boys carry guns to school every day. And in the majority of reported incidents, the gun is a handgun.

What a recipe for disaster. Look at what is happening: In April, **in my home State of Rhode Island**, a 15-year-old was caught with a handgun in school after waving around in the school hallway. Just three weeks ago, in Amarillo Texas, a 17-year-old teen carrying a handgun opened fire into a crowd of students in the school hallway, wounding six students, one critically.

It has come to the point where school districts are spending scarce monies to install $4,000 metal detectors. But how are children to learn when schools begin to resemble armed camps?

Risks at home, risks at school -- there are also risks for children at play in the family yard, the playground, or the neighborhood streets.

-- On August 7, here in the District, 15-year-old Alain Colaco was in his family's yard weeding, when a stranger fired a handgun repeatedly at him. He died immediately.

-- In January, at a crowded Brooklyn playground, two children (ages 11 and 13) were shot by a teen firing wild shots. In Boston last month, a gunman fired into a crowd of parents and children enjoying a cookout party.

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-- In June, two New York teens fooling around with "Super Soakers" were wounded by an angry passerby, who had been squirted with water. A similar incident occured in Boston, resulting in the death of a 15-year-old boy.

Neither are children safe when they are riding in the family car, or the schoolbus: a recent tragedy was the shooting of a New Haven kindergartner. The 6-year-old was riding home in his schoolbus when a random bullet from a drug-related streetfight caught him in the head.

Let me emphasize that for every child who dies from a handgun wound, there are countless children who are horribly wounded but not killed. These injured children run a high risk of permanent, debilitating, and costly injury: they may be paralyzed, or suffer brain damage. Certainly all experience the psychological trauma of being shot.

SUMMARY

If we do not want to see children killed or permanently disabled, if we do not want parents who live in fear of a phone call informing them of their child's death or injury, then we must do something about the handgun slaughter now going on.

There are now 67 million handguns in circulation in our society, more than <u>twice</u> the 31 million available in 1972 and more than <u>five</u> times the 12 million of 1952. And these 67 million handguns are increasing at a staggering 2 million per year.

This is nothing short of insanity. I firmly believe that if we do not act to eliminate the easy availability of these lethal weapons, **sooner rather than later every family in the U.S. will be touched by handgun violence**.

Some have suggested stiffer penalties for those who use handguns for criminal purposes. Others have advocated the registration of all handguns. But neither proposal addresses the question of how to deal with the 67 million handguns already out there! Neither would address the terrible problem of accidental shootings by children who find guns! Neither would prevent teen gun-related suicide!

As I think all of you know, I have proposed my own solution. In June of this year I introduced legislation to prohibit the sale, possession, or manufacture of handguns and handgun ammunition. **I call my legislation the "Public Health and Safety Act;" and I do so for good reason**.

Agree or disagree with my approach; but the one fact that we all **must** acknowledge is that our children are being killed and are killing, by accident and on purpose, with guns. We as a nation simply cannot afford to allow this to continue; we need a real answer that will work, and we need it right away.

I look forward to hearing from the witnesses here this morning. I thank the Chair and distinguished Ranking Member for allowing me to participate in this hearing.

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The CHAIRMAN. You have been extremely helpful—you have been more than helpful; you have been a leader in this, Senator, and I compliment you in your efforts. I, like you, am not certain that any one thing we do is going to solve the problem, but I do know one thing—we cannot continue business as usual.

We're going to hear today—and I have no questions, but just a brief comment—from a school administrator in my State, in the school district—and I don't even know whether he knows this—where my wife teaches public school. My wife teaches in a very "good" public school, in a very "good" neighborhood, quote-unquote. And although we have a countywide busing order, it is a fully integrated school, and it is considered one of the best public schools in the State. And I would embarrass her and make her angry if I told some of the stories she tells me about the weapons that end up in school rooms, in her school room.

The notion that you would go to school and have to wonder about whether or not a kid would get angry and pull out a gun—it's just staggering. When we think about what you faced when you went to school and what Senator Thurmond faced—he and I went to school about the same years—and what I faced, it is just absolutely incredible when you take a look at it.

I walked with Senator Specter down the streets in South Philadelphia, trying to deal with a drug problem. And in front of the school, a public school, we were standing in the doorway, and he turned around and pointed out to me in the entrance of the school—bullet holes. It looked like I was touring East Germany, in some relic left after World War II. I mean, bullet holes in the granite, that had chipped the granite, all in front of the school door.

Anyway, I thank you for what you have done, and I yield to my friend from South Carolina, who graduated from high school in 1963 with me.

Senator THURMOND. I went to college from the 10th grade. [Laughter.]

Senator thank you very much for your appearance. You have given very impressive testimony.

Senator CHAFEE. Thank you very much. Again, I want to congratulate both of you gentlemen and others on your committee.

Thank you.

Senator THURMOND. Mr. Chairman, could I take about 2½ minutes to read an opening statement?

The CHAIRMAN. Sure.

OPENING STATEMENT OF SENATOR THURMOND

Senator THURMOND. Mr. Chairman, today, the committee is considering an issue of major importance to families and children across this Nation. The problem of our young people, children, carrying firearms appears to be growing.

There was a time when the only thing children had to worry about at school was an occasional bully. Now, in many urban high schools, they literally have to watch their backs or risk being shot. In some cities, metal detectors have been placed at the entrances to schools. The simple fact is that our children reflect our Nation's growing penchant for violence.

A recent Centers for Disease Control study found that of the more than 11,000 urban high school students surveyed, 1 in 20 had carried a firearm within the preceding 30 days. According to the FBI, over 31,000 juveniles were charged with carrying a weapon in 1990. During that same year, 2,348 teenagers over the age of 15 were murdered.

These alarming statistics reveal a critical crisis facing America's youth. These statistics also raise several questions. For example, why are children carrying weapons? It appears that they do so for a number of reasons, including self-protection, status, and to further gang and other criminal activities.

How are they getting their hands on guns? Most obtain their weapons on the street, while others find them at home.

What can be done to address this problem? Clearly, this is the most difficult question to answer. However, one thing is certain. Something must be done to curb the violence which has already wiped out so many of our Nation's youth. In addition, children will not learn in school if they fear walking the halls.

We will hear testimony from a number of experts who are here today, and I am very pleased to welcome them here, and I feel that this hearing will be very worthwhile.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Thurmond.

Now, on our first panel, we have a man whom I have known for some time, a very well-respected man in my community, Jack Vinokur, who is a 31-year veteran of the Wilmington, DE schools. He is currently director of instruction for Brandywine School District in Wilmington, where he is chiefly responsible for the day-to-day operation of the school.

Lt. Thomas Byrne is the commanding officer of the Chicago Police Department School Patrol Unit. He is a 21-year veteran of the Chicago police force, and the school patrol unit headed by Lieutenant Byrne has just begun its third year of operation. This unit is responsible for investigating crimes in the 67 public high schools in Chicago, and they respond on a case-by-case basis in the lower schools. Chicago is a school district of approximately 500,000 students, so he has his hands full.

Finally, Ronald Stephens is executive director of the National School Safety Center based in West Lake Village, CA. The National School Safety Center is the only federally funded agency in the country that studies the problem of violence in schools. It is funded through a grant from the Office of Juvenile Justice and Delinquency Prevention and is affiliated with Pepperdine University.

I welcome you all here today and thank you for your interest. I look forward to hearing your statements.

Jack, why don't we begin with you—and be very, very careful with that first witness, Senator. He is from my home town, and I have known him for a long time, and he works with my wife, so if you give him any trouble, you have trouble with Jill. I just want you to know that now.

Senator THURMOND. Is he going to protect you?

The CHAIRMAN. I hope so; if he doesn't, we're both in trouble.

But all kidding aside, welcome, Jack. It's a pleasure to have you here, and please begin your testimony.

STATEMENTS OF JACK VINOKUR, DIRECTOR OF INSTRUCTION, BRANDYWINE SCHOOL DISTRICT, WILMINGTON, DE; LT. THOMAS BYRNE, COMMANDING OFFICER, SCHOOL PATROL UNIT, CHICAGO POLICE DEPARTMENT, CHICAGO, IL; AND RONALD STEPHENS, DIRECTOR, NATIONAL SCHOOL SAFETY CENTER, WEST LAKE VILLAGE, CA

Mr. VINOKUR. Thank you, Chairman Biden and members of the Senate Judiciary Committee for the opportunity to appear before your committee regarding the use of weapons in schools.

As stated by Dr. Joseph Hernandez, superintendent of the Dade County, FL public schools, in his letter to teachers dated December 1, 1989, "In our Nation, 10 children a day are killed by guns, and another 100 children are seriously injured."

These statistics are alarming, and in my judgment, will continue to increase unless steps are taken to further regulate the sale of weapons as well as continuing the development of the educational programs that will reach into every community and home in our country.

You have asked me here today to describe why the Brandywine School District has implemented a clear and concise policy regarding weapons. The Brandywine School District began the process of reviewing the district's student code of conduct in 1991 to redefine and strengthen our policy on weapons in our schools. As a result of the national news media's focus on the issue of guns in schools, the district wanted to make sure our student code of conduct addressed this concern in our disciplinary actions procedures.

There has been an alarming increase in the number of weapons reported by each of the school districts in New Castle County. The issue of students bringing weapons to school has not been a serious problem in the Brandywine School District; however, the board of education wanted a clear policy and procedure on the possession of weapons in the Brandywine schools added to our student code of conduct.

We believe this policy will send a strong deterrent message to students and parents and give the district administrators disciplinary options necessary to deal with this serious matter.

The current Brandywine School District code includes the statement:

> Possession of a weapon or dangerous instrument is a serious violation of school policy. Expulsion will be considered on a first violation. A weapon or a dangerous instrument is defined in the code as any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet or BB-gun shot by a compressed air or spring discharge; a knife of any sort; switchblade knife; billy; blackjack; bludgeon; metal knuckles; slingshot; razor; bicycle chain; ice pick, or any other article commonly used or designated to inflict bodily harm or intimidate others or using in an aggressive or threatening manner articles commonly used for other purposes.

In the Brandywine School District, we have instituted a 5-year strategic plan with a mission statement that reads: "The Brandywine School District strives to shape the future, one child at a time, through a community partnership and excellence in teaching and learning."

One of our main goals, No. 3, is to establish the social, emotional development of children as an integral part of the educational process.

One of the strategies is to develop a home-school partnership, an open door policy between the schools and our communities. We think that is critical.

In my 31 years in education, I have seen many changes. My personal goal has been to reach out to each child and make a difference in his or her life. We have extended this goal to have each building administrator and teacher attempt to make a difference in each child's life also.

In Dr. William Glasser's book, "Schools Without Failure," he refers to what is commonly known as the failure syndrome. "Show me any person who does not want to be successful—but yet, what you and I define as success may well be defined by acting out in a negative and unfeeling manner."

Among the young, there is a growing sense of estrangement which leads to violence and dysfunctional behavior. Children are under increasing stress due to serious systemic social issues. This often leads to low self-esteem and a lack of success.

Until we are able to enter that failure syndrome and to break that cycle, we will be faced with a society that is experiencing violence as a way of addressing major societal problems.

To me, the crux of the matter is what do we do to change the direction of this anger, of this frustration and bitterness which many of our young people appear to possess today. It is critical to provide preventive programs which will assist students as well as parents in dealing with societal problems involving weapons and drugs. It is my sense that many students have access to a weapon if he or she wishes to obtain one. In many instances these weapons can be obtained in a home or on the street corner.

You may ask me why do students wish to possess weapons. It is my feeling that children want weapons to protect themselves in their neighborhoods. The term that I frequently hear is "turfing." By that, I mean who is going to control the neighborhood. Also, young people want a sense of feeling important. For many children who choose this route, a weapon gives them a sense of importance and confidence which they feel they would not have otherwise.

The problems we frequently see are not those that are started in school, but rather, have begun on a Friday or Saturday night in the community. These problems are sometimes brought into the school and lead to a propensity for violence which is not school-related at all.

Certainly there must be order and structure in any school setting. If children are to learn, we must also provide an environment that is caring and perceived by children and parents as a place where they are welcome and safe. As Dr. Scott Thompson wrote in An Agenda for Excellence at the Middle School Level, "Schooling is serious business for the young adolescent who must cope simultaneously with a changing self and a changing world. Both need attention, or neither will be sufficiently served."

Thank you.

The CHAIRMAN. Thank you, Jack.

Lieutenant.

STATEMENT OF LT. THOMAS BYRNE

Mr. BYRNE. Thank you, Mr. Chairman. I'd like to thank you and your Committee for allowing me to offer testimony regarding this extremely important and urgent matter.

While in command of the Chicago Police Department's School Patrol Unit, I have witnessed an ever increasing flow of funds in the Chicago public school system, the result of which has chilling effects on the school population as well as the general citizenry of the city.

For example, not 6 months ago, an 8-year-old girl was the victim of a shooting while attending school. While this crime in itself was horrendous, the fact that her assailant was an 8-year-old boy was even more tragic. The boy got the gun from his brother; he in fact also sold another gun to a bus driver just the day before the shooting.

This tragic incident clearly displays the problem of armed violence in the schools. Currently, there is an increase in criminal activities in and around Chicago public schools. In the past, police officers were assigned to the schools, working in a liaison capacity. The main function was to protect the children from the criminal element outside the schools. The officers made routine visits and assisted the schools with existing problems.

In the September 1990–91 school year, Mayor Richard J. Daley decided that there should be an effort to reduce crime in high schools through a new approach. The Chicago Board of Education under Ted Kimbrough and the Chicago Police Department under then Superintendent Leroy Martin formed the Chicago Police School Patrol Unit.

The unit of the Chicago Police Department receives optional funding from the board of education. Daily, two police officers are assigned to fixed posts in every high school.

The CHAIRMAN. Every high school in the city?

Mr. BYRNE. Yes, sir. There are 67 schools.

In Illinois, the school year consists of 181 days. During the first year of its existence, my unit recovered 183 firearms in and around the city schools. During the second year of its existence, my unit recovered 200 firearms. As of September 8 this year, the start of the school year, we have already recovered 25 firearms.

By using surprise search techniques, aided by metal detectors, some 34 handguns were recovered from the student population. Most alarming were two 9-millimeter semiautomatic machine pistols recovered from two different schools. This illustrates the level of sophistication of weapons already available to the children in our city school system.

The CHAIRMAN. These aren't the so-called zip-guns we used to talk about 15 years ago; these are the real thing, aren't they?

Mr. BYRNE. Yes, sir, they are. I have a picture of one here if you would like to see it.

How children obtain these firearms is puzzling to the law enforcement officer. There is no doubt that handguns are readily available to the adult and juvenile offenders. The guns we have confiscated from children are often unregistered and not reported

stolen or missing. This indicates that they may be bought at flea markets or sold or traded for narcotics.

About the question of why children carry these guns to school, we have to examine the present school culture. Dr. Carl Bell, a psychiatrist and executive director of the Community Mental Health Council in Chicago, was recently quoted by the Los Angeles Times. He states that young people have seen so much death and violence that some suffer from emotional problems similar to those post-traumatic stress syndromes exhibited by Vietnam veterans. This would suggest that the majority of weapons are brought into schools for self-protection. Another view is that kids just join gangs that require the carrying of guns or weapons. Today, the unfortunate reality is that kids join a gang to avoid becoming a victim of a gang.

The gang factor has become an ever-increasing flow on the proliferation of both drugs and gangs in our schools. The primary source of income for most gangs is trafficking of drugs. As street narcotic enforcement programs become more effective, we force gang members to distribute narcotics in schools. Children of all ages are used to further this purpose. Children, with minimal family influence, low self-esteem, lacking jobs, and athletic involvement, become easy targets for recruitment into the gang. Recruitment is achieved through offering children incentives that they perceive are lacking in their homes. If this cannot be accomplished, it is often then done through fear and intimidation.

The clear reality is that the problem of drugs, gangs and weapons cannot be conquered by enforcement solutions alone. As a law enforcement officer, it is my distinct responsibility to design programs that will prevent the criminal element from overtaking the learning process in the schools.

With controlling the flow of weapons and drugs into the schools, we can lessen their influence in the school environment. The larger problem must be conquered through the concentrated effort of parents, educators, community and social leaders. All of us must jointly motivate our children to seek a better education for themselves.

Only through this effort can we better our children's lives and eliminate the lethal influence of drugs, gangs and weapons.

Thank you, sir.

[The prepared statement of Mr. Byrne follows:]

Statement of Lt. Thom s G. Byrne

United States Senate, Committ on the Judiciary

While in command of the Chicago Police Departme 's School Patrol Unit, I have witnessed an ever increasing flow of guns into the C icago Public Schools. The result of which have chilling effects on the school population s well as the general citizenry of the City. For example, not two months ago an eight ye old little girl was the victim of a shooting while attending school. While this crime i itself was heinous, the fact that her assailant was an eight year old little boy was even m re tragic. The boy got the gun from his brother. He in fact, also sold another gun to a b s driver just a day before the shooting.

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Statement of Lt. Th mas G. Byrne

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The CHAIRMAN. Thank you.

Before we move on to Dr. Stephens, are the high schools in the Chicago public school system continuing to run their athletic programs? A staff member said they thought they heard on television that you had had to cut out football or whatever else? Is that true?

Mr. BYRNE. There is some talk in the city now, and it is almost front-page news, that the athletic programs are going to cease because of funding. But my personal opinion, through talking with coaches throughout the city schools already, they are manning themselves and demonstrating against the board of education not to do that.

The CHAIRMAN. Thank you.

Dr. Stephens, welcome.

STATEMENT OF RONALD D. STEPHENS

Mr. STEPHENS. Thank you, Senator Biden and Senator Thurmond. I appreciate your addressing this critical issue.

Many of the statistical summaries have already been expressed throughout the hearing, so rather than repeating those from the perspective of the National School Safety Center as we work with school districts throughout the United States, I would just like to add that we have seen a continuing increase in the presence of weapons across the country. Many of the former fist fights are being replaced by gun fights; what we used to know as those fire drills in school are being replaced by crisis drills, some places bullet drills; and other areas where school administrators don't want to admit, but the new drive-by shooting drill, training youngsters to respond when there are bullets in the community that are flying in or near the school.

Twenty-nine percent of our Nation's teachers have said that they have considered leaving because of the increased violence. We have been rather shocked to discover that there are some places where they are offering school administrators bulletproof vests along with their contracts. And frankly, I don't know about you, but I wouldn't be too excited about serving in some of those particular areas.

We have also seen other evidence where they are marketing Kevlar clipboards and bulletproof jackets for some of the school children that are out there.

An article appeared in the paper the day before yesterday in Baton Rouge, LA, and it was interesting to read what the police chief said. He said, "Oh, what I wouldn't give to have a kid steal hubcaps again. It's not just the violence that has increased, but that many teens no longer value human life." Snell said, "It used to be when a teenager did something wrong, he or she would try to cover it up. Now, it's not unusual for someone to come in and say, 'Yes, I shot the guy.' "

The CHAIRMAN. Where are Dion and the Belmonts when we need them? Remember that song—you probably don't—about stealing hubcaps.

Mr. STEPHENS. I do remember that song.

The CHAIRMAN. You are nice to say that. [Laughter.]

Mr. STEPHENS. Your staff and the committee have done a great job just reviewing some of the research that is out there about the weapons seizure in the schools. I would like to add some data that we have just put together in the last day or so to try to summarize what we see from news clip incidents around the country.

What you have described here are the weapons seizures in the schools. The other impact is what happens when those weapons come to school.

The CHAIRMAN. I might point out those charts up there. Those statistics that we gather are generated within the school districts based upon suspensions. As Jack Vinokur will tell you, there are circumstances where there has been confiscation of weapons for which there is no suspension, and they do not count the number of students estimated to be carrying weapons in the system. They are only those cities where a child has actually been found in possession of a weapon and it has resulted in a suspension.

What shocked me, Dr. Stephens, was that I assumed that any child who was found with a weapon in school would be suspended if not expelled; I thought it was automatic. Well, I'm finding out—and maybe you can shed some light on it—is that a significant number of school districts don't even suspend.

Mr. STEPHENS. Absolutely. There are a number of other factors that come in, too. It isn't only the amount of weapons incidents that are reported, but also those that are acknowledged. There are a lot of them that are unacknowledged, undetected, and as we look at the way schools are handling some of these issues, in some cases school administrators will be just keeping the weapons themselves and storing them someplace. We have been surprised to find school administrators who haven't recognized that this isn't simply a disciplinary matter, but it is a criminal offense.

The CHAIRMAN. And why do they do that?

Mr. STEPHENS. I believe a good amount of it is the result of the fact that they simply have not been trained in how to deal with some of these issues. Many of those involved in the teaching profession—in fact, 52 percent of the teachers and administrators—say their college training didn't adequately prepare them.

Right now, California is at least one State in the Nation that is reviewing teacher training credentialing standards for administrators and teachers to ensure that they get the type of training so that they know how do you deal with a weapon-wielding student; how do you break up a fight; how do you deal with a serious habitual offender. And teachers want to know if Charles Manson, Jr. is enrolling in their class; they want to know today. So I think we're going to have to take a look at how we change our information-sharing laws on individuals with backgrounds of criminal behavior, misbehavior in the past.

I'd like to add to this chart an unscientific, news clip analysis. We get news clips from throughout the United States from a variety of different regions, but for this 2-year period we have obtained them from the same area. For the calendar year 1991, it was just a sampling of 104 incidents which resulted in 14 deaths and 50 injuries. For calendar 1992—and we're only into this for 9 months—instead of 104 incidents there have already been 128 this year; instead of 14 deaths, there have already been 11; instead of 50 inju-

ries, there have already been 65. And what you said about the caliber of weapons changing has had a significant effect because the likelihood for injury is much greater as the caliber increases.

Where are some of these kids getting the weapons? We have addressed a good deal of that. Why they bring them—fear, power, control, protection are probably some good reasons. Most of the kids who bring them to school, they are coming from home. A good deal are coming from the communities and from the schools.

Houston public schools was dismayed to discover that a student was actually providing a gun rental service on their campus for some of the students.

Just a little essay that one student wrote from one of our urban centers:

> Students bring weapons to school for several reasons. One main reason is to get revenge on another schoolmate. Students also bring weapons for protection, to show off, or to use instead of fighting. The amount of weapons increases every day in schools. Students are able to purchase weapons in the schools. They are also able to purchase weapons in schools from drug dealers, friends and other sources. Before, when you had problems in school, you would just fight. Today, we get shot in the kneecaps.

And then he goes on to describe the types of weapons that are available.

In terms of some of the strategies, we were recently asked to come to New York after they had a double homicide at Jefferson High School. It was interesting to go back and see the primary strategy in place of having metal scanning in the school. There are 1,800 students. If you can imagine at 8 in the morning 5 vanloads of 40 officers rolling up to the school, and it takes 2½ hours to metal scan those students. There are 6 hours in the educational day, and when you consider the impact of the metal scanning, it makes you ask what are we giving the kids—the difference between an education, or simply a certificate of attendance which we have in some schools—now, do we give them just a certificate? Well, yes, you've gone through 4 years of metal scanning.

So I think we have to look at a variety of other strategies, and I would encourage this Senate Judiciary Committee and Congress to take a look at ways in which we can make school safety an important item on the national agenda. Every school should have a school safety plan to address these issues. We need to have some good data, good information, on crime reporting. It is ironic that colleges and universities have mandated crime reporting in this country, and yet there is nothing for K through 12. And I recognize that that is primarily a State function that ought to be there, but I think we are going to have to encourage the States to have some mandated reporting so that we know the scope of what we are dealing with.

The CHAIRMAN. When Senator Thurmond and I wrote the last crime bill, we had mandated reporting for the colleges, and you would have thought that we had asked every administrator in America to turn in their salary every other week. They don't want people to know.

Mr. STEPHENS. You are absolutely right.

The CHAIRMAN. It reflects badly on them, so they don't want to report it. That's why I respectfully suggest to you that principals you talk to put those guns in the closet.

Mr. STEPHENS. That's correct. A lot of them do that for just that reason. Somehow or other, we're going to have to overcome that, because when you know where you stand, you at least have a ghost of a chance to create some specific direction and program change.

I would also encourage that our gun-free school zone law be modified to the weapons-free school zone law. It was passed in 1990. It was one of the best kept secrets by our K through 12 administrators. It is finally getting out now, and I think that's real helpful, but the primary weapons that most kids bring to school are still knives. The guns are important, and we've got to deal with them, but we need to deal with the broader context.

And then finally, I think, teacher training; how we can create some better standards to train teachers to deal with the types of disruptive situations, the kinds of youngsters who are coming into the schools today, because it's a whole different ball game out there. I think the bottom line is if we're going to require young people to attend schools, then school administrators, parents, the public ought to be required to provide schools that are safe, secure, and peaceful.

The CHAIRMAN. I thank you very much.

[The prepared statement of Mr. Stephens follows:]

CONGRESSIONAL TESTIMONY
WEAPONS IN SCHOOL

Presented by
Ronald D. Stephens
Executive Director
National School Safety Center

October 1, 1992

Scope of Problem

Reading, writing and retaliation has become a common theme on many of our nation's campuses. Far too often this retaliation involves ducking bullets and serious violence. Students are willing to take the risk of bringing a weapon to school simply for protection, to show off or to intimidate others. Many of the former fist fights are being replaced by gunfights. Former fire drills are being replaced by crisis drills, bullet drills and the new DBS (drive-by shooting) drills. The easy availability of guns at school, coupled with a precipitating event and fueled by a temporary mind change involving drugs or alcohol, spells trouble. Impulse often plays a deadly role in school violence.

Some school administrators are now being offered bullet proof vests along with their teaching contract. Kevlar clipboards and bullet proof jackets are being marketed to school children. Twenty-nine percent of our nation's teachers have stated they have considered leaving the teaching profession because of violence. School crime negatively impacts students, teachers, the school and community, our economic viability and national defense, not to mention quality of life.

A May 17, 1992, report by the *Los Angeles Times* underscored the proliferation of weapons within Los Angeles by disclosing that more people are shot to death in the city than are killed in traffic accidents. Nearly one out of six

Los Angeles households has been victimized by a gun-related incident in the past two years. Media reports from regional papers further describe the scope of the problem:

- September, 1992, Palo Duro High School, Amarillo, Texas--Teenager shoots 6 in school after a fight; 2 seriously hurt.
- May, 1992, Lindhurst High School, Olivehurst, California--Four slain, 11 injured as ex-student enters high school campus and opens fire; 59 students and teachers are held hostage during the eight-hour siege.
- March, 1992, Largo High School, Washington, D.C.--Sixteen-year-old girl was stabbed in the abdomen with a 3-inch paring knife by a female classmate.
- March, 1992, McAuliffe Elementary School, Chicago, Illinois--Eight-year-old boy brings gun to school in his book bag, thinking it is a toy and shoots and paralyzes an 8-year-old girl in the classroom.
- February, 1992, Thomas Jefferson High School, Brooklyn, New York--Two students are fatally shot in school hallway by a ninth-grader while students are changing classes.
- February, 1992, Roland Park Elementary/Middle School, Baltimore, Maryland--Seventh-grader shoots a school police officer for confiscating his pager.

School crime and violence is not simply a big-city problem. It encompasses rural, suburban and urban communities. Nearly 3 million thefts and violent crimes occur on or near school campuses every year, according to the National Crime Survey. That's almost 16,000 incidents per school day or one every six seconds. About half of all violent crimes against youths 12 to 19 occurred in school buildings, on school property or on the street. Twelve percent

of the violent crimes in school buildings involved an offender with a weapon. In comparison, three times as many violent street crimes--37 percent--had a weapon involved. However, the national Crime Survey, released in May 1991, found that in other respects, violent crimes committed on the street or at school were similar in severity.

The presence of a handgun on a school campus increases the "likelihood that a lethal event could result from a violent confrontation." The Centers for Disease Control reported compelling statistics from the "Youth Risk Behavior Survey." From a sample of 11,631 high school students from throughout the United States, Puerto Rico and the Virgin Islands, 19.6 percent of the sampled students had carried a weapon during the preceding 30 days. Although students were not specifically asked if they had carried the weapons to school, the sample is of sufficient size to validate parents' concerns regarding students' safety at school.

From newspaper accounts alone, the Center to Prevent Handgun Violence reported 65 students were killed and 186 were wounded; six school employees died and 15 were injured. These numbers apply exclusively to "gun violence occurring in and around our schools" and cover four academic years, beginning in September of 1986 through 1990-91.

The "Weapons/Firearms on School Property Survey Results" issued by the Florida School Boards Association (FSBA) in April of 1989, revealed that the weapon most frequently found in a student's possession was a knife. The primary source of all weapons was the student's residence. FSBA advocates "continual monitoring" of the weapons issue to "reduce the number of incidents on school property and ensure a safe school environment."

A 1990 National Center for Education Statistics survey sampled 25,000 eighth-graders from 1,000 public and private schools. Twenty-one percent of the students had witnessed weapons at school.

Illinois Criminal Justice Information Authority recently published the results of two 1990 surveys. Students and teachers in 31 public high schools in the state were asked about victimization in their schools and communities. "One in 12 public high school students in Illinois reported being the victim of a physical attack in school on the way to or from school last year, and about the same number--one in 12--sometimes stayed home from school for fear that someone would hurt or bother them."

Further, about one-third said they had taken a weapon to school at some time during their high school experience for protection. More 5 percent had carried guns to school.

California's most recent school crime data reflected 174,478 crimes for the 1988-89 school year, up 5 percent over the previous school year. Assaults were up 16 percent to 69,191. Armed assaults were up 25 percent over the previous year to 1,830. Most alarming was the increase in guns on campus - up 40 percent from the prior year.

New Jersey's Education Commission (April 1992) reported a 48 percent increase in the number of assaults with weapons in the state's schools. Despite a newly enacted state law requiring adults to keep guns locked or otherwise secure from children under 16, weapons continue to have easy accessibility.

How Children are Obtaining These Weapons

The primary source is from home. A copy of an English essay received by the National School Safety Center from an urban high school student clearly identified

the source of school weapons and sheds light on reasons youngsters bring weapons to school.

Essay On Weapons In School:

This is about weapons that are brought into school everyday by many students. This is a serious case. It is one of the biggest problems facing American high schools today. Students bring weapons into school for several reasons. One main reason is to get revenge on another schoolmate. Students also bring in weapons for protection, to show off, or to use instead of fighting. There are many other reasons besides these mentioned.

By bringing weapons into school, you're only looking for trouble because that's all it brings. The amount of weapons increase everyday in schools. As a student, I can tell you about 50 percent of the students are carrying weapons in our school. In another school, about 70 - 80 percent of the students are carrying weapons into school every day.

Students are able to purchase weapons in the school. They are able to purchase weapons in school from drug dealers, friends and other sources. Before, when you had problems in school you would just fight. Today, you just get shot in the kneecaps.

School isn't as safe as it used to be. Today students bring in all kinds of handguns, such as 22, 25, 9 millimeter, 38 and other handguns. The guns used most are 22's and the 25's because they are small and easy to carry. Most of these handguns are carried by student drug dealers. About 5 percent of our school's students deal drugs. Some of them don't deal in school, but they still carry their guns into school

There are also knives of all sizes and all different kinds of blades. Other weapons that are brought to school are blackjacks, brass knuckles, chucks and many other types. The most concealable weapons are pen guns, pen knives and belt buckles that form a blade. These oriental weapons can easily be brought into schools.

The superintendent of the schools doesn't seem to care too much about this problem. I have not seen any action being taken. I hope this problem is taken care of before it goes too far. Soon teachers and students are going to be getting hurt in school. By taking action , the schools will be much safer. Who knows? You may get hurt; maybe I will get hurt. We'll never know who's next.

The superintendent should get metal detectors put into our schools. This may be at least one way of finding the weapons and making schools safer to be in. The schools' superintendent is responsible for our safety in school. If he can't keep us safe from weapons being brought into schools today, he should resign.

I'm not asking for money or anything else. I just want schools to be safe to be in. This school year is over, but I still think actions should be taken now, so next year, schools will be much safer to go to.

In 1992, school administrators in Houston, Texas, were dismayed to learn that one of their students was running a gun rental service on their campus. In Oakland, California, students said their biggest fears were simply getting to school through drug-dealing/gang infested territory. For many of them, carrying a weapon is a form of survival.

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Influence of Drugs and Gangs on the Proliferation of Guns in School

Weapons in school cannot adequately be addressed without considering the impact of gangs and the presence of drugs within the community. According to the Center to Prevent Handgun Violence, 18 percent of all weapons in school incidents are drug or gang-related, 15 percent involve long-standing disagreements, 13 percent involve playing with or cleaning guns, 12 percent over romantic disagreements and 10 percent over fights and material possessions.

A report from the Bureau of Justice Statistics indicates that more than 13 percent of convicted offenders held in local jails during 1989 claimed they had committed their offense for money to support a drug habit. Eighteen percent of the offenders surveyed admitted to being under the influence of a major drug at the time of the offense.

A study conducted by Temple University tracked 237 drug addicts for an eleven-year period and found that they were responsible for more than 500,000 crimes.

In response to these alarming trends, there are several things Congress and the local communities can do. They include:

1. Enact a comprehensive and systematic safe schools initiative that includes but is not necessarily limited to mandated school crime reporting; mandated safe school planning; a comprehensive student behavior management plan; age-appropriate curriculum to foster responsible citizenship among our youth, and parents and community leadership plans. Each state should be encouraged to establish state and regional safe school centers to help train and support youth-serving professionals and the children they serve.

2. Strengthen laws to keep guns out of the hands of criminals. More careful screening and background checks of individuals purchasing firearms should be implemented. Alameda County, California, requires anyone who buys a gun to fingerprinted and photographed by the county sheriff's office. Encourage the passage of parental responsibility laws requiring gun owners and parents to keep their weapons secured from minors.

3. Modify the Gun Free School Zone Law to the Weapon Free School Zone Law and require each state to establish clear reasonable sanctions for juveniles who commit such crimes.

4. Encourage schools to adopt model weapons intervention and prevention programs, such as the STAR Program developed by the Center to Prevent Handgun Violence and the Baron Assessment Counseling Center in Boston, Massachusetts.

5. Develop campus-wide School Safety Plan - Each school and each school district should be required to develop and implement a comprehensive and systematic safe schools plan that focuses on supervision, education and administrative leadership strategies. The National School Safety Center provides training and technical assistance in this area and has developed guidelines to assist school administrators and community leaders in developing such plans. Designing safer schools should become part of the safe schools plan. National standards for the construction of new schools should be established to promote safety and supervision and to minimize criminal opportunities.

6. Mandate School Crime Reporting - The Student Right to Know and Campus Security Act of 1990 passed by Congress and signed by the President requires colleges and universities to collect and maintain campus crime data.

Institutions of higher learning are required to prepare, publish and distribute, through appropriate publications or mailings, this data to all current students and employees, as well as to any applicant for enrollment or employment who requests an annual campus security report. This report must include current campus security policies for reporting, monitoring and informing individuals who have a right to know. Statistics must include crime data for the current year and the two previous years, if available. Specific crime-tracking categories include murder, rape, robbery, aggravated assault, burglary and motor vehicle theft, including statistics on arrests. A similar bill should be enacted for K-12 schools.

It is ironic that a national mandatory crime reporting act has been passed for colleges and universities and yet nothing is in place and for primary and secondary schools. The number of victimization incidents is significantly higher on K-12 campuses in terms of real numbers and victimization rates. College and university students have a choice as to whether or not to attend school. Most K-12 students are compelled to attend school and further compelled to attend a school not of their choosing.

7. Redesign Teacher Training Components - Sixty-two percent of U.S. teachers have stated that their college education did not adequately prepare them for the classroom. Teacher training programs must be redesigned to focus on more than operating a film strip projector or VCR. These programs must focus on effective classroom management, dealing with disruptive students, how to break up a fight, and conflict prevention and resolution. A national panel of educational experts

should be appointed to develop significant and essential training standards and criteria for successful teaching.

8. Focus on Multicultural Training - By the year 2000, nearly one-third of American young people entering schools will be from minority groups. Many of the gang problems and campus violence we experience today are due to cultural and behavioral misunderstanding and intolerance. Training is needed to better understand, appreciate and accept the ethnic and cultural diversity in our nation's schools. Beyond mere acceptance should be a focus on how to capitalize on the diversity by improving the level of respect and appreciation for the strengths this diversity brings to the educational system. Teacher training institutions and our public schools should be encouraged to adopt such programs. Multicultural understanding and appreciation should be placed on the national agenda. Congress should commission a national initiative to develop model programs and strategies that respond to these needs. Such efforts could include a national conference to focus attention on the issue, followed by the development of special demonstration projects and model programs.

9. Implement Conflict Resolution Training/Non-Violence Curriculum for Students - School violence is merely the tangible expression of conflict among students and teachers. Schoolyard bullying and intimidation is perhaps the most underrated and yet enduring problem in our schools. Half of schoolyard bullies grow up to become criminals; 25 percent become serious career criminals. We can identify these youngsters as early as kindergarten or first grade, but we tend to do little for them. Saddam Hussein was one such schoolyard bully who carried a gun to school and intimidated others. If we can pursue non-violent alternatives to resolving conflicts, a significant amount of school crime can be prevented. Non-

violence curricula, problem solving, goal setting, peer helping, peer mediation programs and simple courtesy should be a part of every school's educational strategy to reduce crime and violence. We tend to get not only what we deserve and expect, but also what we measure. In recent years, we have evaluated primarily the academic side of the report card – reading, arithmetic and science; we have ignored the behavior side. It's time to re-emphasize responsible behavior.

10. Intensify supervision and extracurricular programs. Supervision techniques and processes that preclude metal detectors should be considered. Youngsters need adults who are interested in them and their success. Intensified supervision programs may include a professionally trained school peace officer; parent volunteers to help supervise hallways, playgrounds, gathering areas and other potential trouble spots; a "surrogate somebody," similar to Superintendent Kendrick's program in Seattle Washington, to serve as a role model and mentor to each child; a vivacious athletic and extracurricular program; recreation and community service opportunities.

11. Encourage Parent Participation and Parent Education Programs - Many parents drop their kids off in kindergarten and pick them up in the 12th grade and wonder what went wrong in between. Schools and businesses need to foster and encourage more effective ways of parent participation on school campuses. Site visitation, supervision and specialty instruction are important ways for parents to become involved. Businesses that are willing to provide release time for adults to participate in school programs is another important element. Such partnerships should be encouraged.

12. Establish regional and statewide "School Safety Centers" - Such centers could provide statewide leadership, model programs, demonstration projects and resources to school systems within their region. Encouraging the establishment of such centers to serve as local catalysts sends a vital message to school and community leaders while providing a great service to the students they serve. The National School Safety Center has created basic guidelines for the formation of these innovative statewide school safety leadership models. Since our national security and quality of life are so closely tied to the quality of education, school safety must be more than a federal concern; it must be a function where the federal government provides national leadership.

13. Provide Gang/Drug Prevention and Gang Intervention Training - The gang/drug phenomena has perhaps affected education in the '90s more than any other single issue. One student was asked, "Is there a drug problem in your school?" She replied, "No, I can get all the drugs I want." Gangs, drugs and weapons in school are all closely related. Gangs are on the move -- there are now more than 900 gangs and more than 100,000 gang members in Los Angeles County alone -- and they are coming to a community near you. School administrators, law enforcers and youth-serving professionals need training and gang identification as well as in prevention and intervention strategies for combating gangs and drugs. Programs such as the Safe and Drug-Free Schools initiatives sponsored by the United States Departments of Education and Justice should be encouraged.

14. Focus on Crisis Prevention and Management - There are two kinds of school administrators -- those who have faced a crisis and those who are about to. Specialty training in crisis prevention, crisis preparation, crisis management and

crisis resolution is essential. The National School Safety Center has developed such a training program that is available to school systems nationwide. Such training should be made available on a broad national scale that responds to crisis situations involving weapons, drugs, gangs and related violence.

15. Mobilize Community Mobilization for Safer Schools - School administrators cannot solve the school crime problem alone. They need support in establishing, fostering and developing interagency partnerships within their communities.

Making schools safer is everyone's business. It is incumbent upon school administrators to inform parents and the public about the kinds of problems that are being faced in school. Appropriate prevention and intervention strategies can then be implemented to insure the safety and well-being of all of America's children. Senator Biden, you and the Senate Judiciary Committee are to be commended for addressing such a serious problem and for your willingness to explore potential solutions and national strategies.

The CHAIRMAN. I yield to my friend from South Carolina for any questions he may have before I ask questions.

Senator THURMOND. Thank you, Mr. Chairman.

I want to compliment all of you on your presence here. Mr. Vinokur, how does your newly adopted student code impact on students who are carrying weapons to deter their involvement in criminal activities?

Mr. VINOKUR. We passed this code, Senator Thurmond, because we wanted to send a clear message that we were not going to tolerate any kind of weapon in our school system. What we are basically saying to students is that if they bring a weapon to school, they are going to be brought up on expulsion charges the first time, where you will be released from school, with due process, if you are found to have that weapon on you when you bring it to school.

So our code very specifically defines what will happen if a student brings a weapon to school. What will happen is that he or she will be given a due process hearing, as required by law, but that student then will be considered for expulsion, which means that that student can and will be expelled up to 180 days from school.

I may add—and you may be interested in this also, Senator Thurmond—that our district, meaning our board of education, was one of the first districts in the State to pass a policy that states that if a similar incident occurs outside of school, we will consider expulsion for that incident if it does occur outside of school. If a youngster is involved in a serious incident involving a weapon outside of a school, a thorough investigation will be considered, using due process, and we will follow through with expulsion of that student or a recommendation to the board of education for expulsion.

Senator THURMOND. Is that a school board regulation, or is that an ordinance of the city, or what?

Mr. VINOKUR. No. Both of which I have described to you are school board regulations, including the second one, which dealt with offenses that took place outside the school, Senator.

Senator THURMOND. If they are expelled from school, what happens to them then?

Mr. VINOKUR. We usually set up a program, Senator, that requires certain activities which relate to their particular offense. Obviously, the thing that comes to mind immediately is that we bring charges against those students. We will file charges against a student who has been involved in such an incident with a weapon. We do that immediately. Our principals are instructed to do that and they do do that.

In addition to that, Senator, we also require that a family go through a variety of kinds of experiences. That youngster may well need counseling. That youngster may well need family counseling. We are involved in a program, Senator, with the Union Baptist Church, which is a local church organization in the city of Wilmington, and the Claymont Community Center. We have gone into this joint venture with these two organizations, and that youngster will be sent to one of those two organizations. The parent may choose, based on the location where the youngster lives, and he or she will receive very structured counseling, social work, psychiatric treatment—whatever is needed in order to resolve or bring about a change in behavior.

If a youngster is expelled, we constantly check with that organization to see what progress that youngster is making in his or her rehabilitation. The parent may apply 30 days before the expulsion period, which has been determined by the local board, for readmission.

Aside from the interval checkings that we do with the organization to see if they are meeting our requirements, a thorough investigation is made to see if that youngster is ready to come back to school.

Senator THURMOND. Now, if one is expelled, does he or she automatically go to a juvenile center to get instruction and training?

Mr. VINOKUR. If one is expelled in the State of Delaware, depending on the charges—we will bring charges against that youngster—and that is usually done through our youth aid organization, our State police or the city police—that youngster then will go before the juvenile court in Delaware, and the court will review the circumstances and then do sentencing.

That can vary, Senator, anywhere from probation or a recommendation for psychological treatment or counseling to being placed in a juvenile institution where that youngster will serve time based on what the judge has decided.

If I may give you one example, I know of one case where a youngster was charged a year ago, in the fall, with carrying a weapon. That youngster then was placed on probation by the court, and that youngster got involved in another incident, and the court immediately placed that youngster back under juvenile direction for 4 months, where he was placed in a juvenile court.

Senator THURMOND. Do you feel that what you are doing there is sufficient, or do you have any recommendations to go further than that?

Mr. VINOKUR. Well, I don't want to wander from the topic; I want to make sure that I am hitting directly in terms of the recommendations that I would like to make to you. As I said in my opening comments, there has to be a change, and I know, Senator, that you recognize that more than anyone does. And it seems to me that one of the responsibilities we have—meaning the schools in this country—is to reach out to these students and really get involved on a community level.

We have made extensive efforts in our district, Senator, to develop a program within the last 3 to 4 years where we are really taking a great deal of time. We are working with students on a one-on-one basis in the community. And that's the key to it for us. You have got to get into the community. That's not easy. There has to be a trust factor developed. There has to be a sense that people will trust you and believe in you.

This summer, Senator, if I may relate a brief story to you that was very interesting to me, I had been working with a parent, and she had been having a great deal of difficulty with her child. I had convinced her that one of the things that our district could do was to provide a social worker who would go into that home and work with her and direct her to the proper counseling.

Lo and behold, about 3 weeks later, she called me, all upset, and she said, "You aren't sending that visiting teacher out to my house. I've got the word on that visiting teacher." What she was referring

to when she was referring to the visiting teacher was what she thought was a truant officer. She didn't really understand that our purpose was not to threaten to take away her children, but rather, was to provide her assistance right in the home where she needed it, the services that she needed.

My point is that I think if we're going to be successful in what we're doing—and I realize that these two gentlemen have different sets of circumstances than we may, but kids are kids—and we are making a very sincere effort. We have about seven or eight programs going now where we are truly reaching out to these kids and meeting them "on their turf" and working with these kids.

Now, are we going to reach every one of these kids? I wouldn't sit here and tell you that, Senator; I'd be misleading you. But I think that we have a good shot.

We hired a young man who is a paraprofessional. He grew up in the area where we're having a lot of difficulty with kids. He understands those kids. He has a value system. He is able every day to go to that community, Senator, and talk with those people because he was raised there. His brother is a police officer in that city that I am referring to, and I need to tell you he's doing a heck of a job. Those kids understand him. They can relate to him.

Senator THURMOND. Is what you are doing working?

Mr. VINOKUR. I think so, Senator. I think we can do a better job. If I may just quickly comment——

Senator THURMOND. Don't take too long. We've got other witnesses.

Mr. VINOKUR. Yes. The dropout number in our schools 5 years ago was 6.2 percent. Our dropout rate as of the end of this June was 0.9 percent. Do I think what we are doing is working? I believe it is. We can do better, but I think it is working.

Senator THURMOND. Thank you.

Lieutenant Byrne, what are some of the measures that can be taken to reduce the flow of black market guns to children? Is it your experience that a lot of these weapons are obtained through the black market, come from the home, are bought on the streets, or where do they come from?

Mr. BYRNE. It is ironic, Senator, when we arrest these kids with the amount of weapons we took off the street last year, they all claimed that they had brought them to school for protection, and they are unregistered and they are nontraceable. So we would think that they are getting them not from sporting goods stores or anything like that, but some flea markets, or just off the street, from home burglaries and whatever.

Senator THURMOND. Where are they getting these weapons?

Mr. BYRNE. As I said, we can't get an answer from them. I would presume—there are flea markets out there where they can buy them; they are buying them off the street from people who are committing burglaries——

Senator THURMOND. Well, if they won't tell you, do you detain them until they do tell you, or what do you do?

Mr. BYRNE. Well, we charge them accordingly, Senator, with an unlawful use of weapons charge, and it is their prerogative to tell us where they got them or not.

Senator THURMOND. What are you doing about the parents? Do you investigate to find out if the parents leave a weapon exposed to the child in the home?

Mr. BYRNE. Well, the incident in which this little girl was shot in the school this year, the gun that she was shot with came from another boy's home. The parents were subsequently charged, and also the brother was charged with having the guns out in the house where the children had accessibility to get them.

Senator THURMOND. Do you find these children are using drugs, or the parents are using drugs?

Mr. BYRNE. There are a number of children out there who are using drugs, who are being intimidated by gang leaders to go one step further, to become a gang member or leader of the gang. There are some parents out there who have children in school systems who are narcotics users, and the kids watch their parents doing drugs when they come home from school.

Senator THURMOND. We don't want to do anything to hurt the children, we want to help them. But as a matter of fact, haven't we got to really crack down and hold the children responsible and hold the parents responsible and do what is necessary to protect them in the end?

Mr. BYRNE. I believe parents play a big part in this problem. I use an example when I go to speaking occasions in the city of Chicago, where I was invited to go to a local school council meeting at a public school that had a total population of 3,000 kids. They wanted the police there to talk about security and how the police officers function in the school, and they wanted other officers from other divisions of the police department to be there. And when we arrived at that meeting, we had nine police officers and two parents. So there are parents out there today who are kicking their kids out the door at home in the morning, not even making sure their homework is done or making sure they have a lunch bag that they can take to school. They just want them out of their hair. They want them to go to school just to get them out of the way.

Senator THURMOND. Do you know of any parents who have been punished because they have failed to take steps to protect these children from guns and drugs?

Mr. BYRNE. Well, yes; there are. In juvenile courts, children and family services are bringing court cases against parents for truancy and criminal activity every day.

Senator THURMOND. Do you have any concern over the use of strong tactics such as placement of uniformed police officers and metal detectors on school grounds?

Mr. BYRNE. Do I have any problem with it? No; I do not have any problem with it.

Senator THURMOND. I said do you have any concern about that. In other words, would you object to having police officers in schools and having metal detectors and other things to detect these guns?

Mr. BYRNE. No, Senator; I don't.

Senator THURMOND. And to apprehend for the guns and drugs.

Mr. BYRNE. Well, the police officers are in the school for criminal activity, and I believe through the number of arrests and so on, that we are an asset to that school. What we are doing in that school is ridding that school of criminal activity. There were some

principals out there before this unit was in place that would not even report crime to the police; they would just push it under the rug. Then superintendent Leroy Martin said to me let's get into the schools, let's report accurately, and that is why this number up here is very, very large, because we went in and started making arrests. Within our first 30 days of 1990 and 1991, we had some 400 arrests. We were averaging 90 arrests per day in our first year. We are down to about 60 today.

I believe we are a definite asset. I believe that metal detectors are a definite asset to them, to make the schools safe from criminal activity.

Senator THURMOND. Mr. Stephens, do you have any recommendations for anything further that can be done, other than what you have heard these gentlemen say?

Mr. STEPHENS. In addition, the strategies behind a safe school plan involve many of the things that have been discussed. It is not simply a law enforcement strategy, which is very important. I have to say as an educator, the work that law enforcement is doing in the schools, they are being invited in more and more because school administrators realize they are simply overwhelmed with the kinds of problems that they are dealing with.

But in terms of developing some strategies, some of the school districts that have dealt with this most directly are looking at how they can focus on the curriculum; how we can change the attitudes and actions of young people. We have had a lot of emphasis on reading, writing and arithmetic, but we've kind of forgotten about the other side of the report card.

So, empowering students with some nonviolent ways of conflict resolution is a major move that is beginning to take on some special focus right now. So in terms of the safe school planning process, you are looking at supervision strategies that would involve adults, parents, law enforcement; you are looking at education strategies that would change the way youngsters resolve their problems, how they make decisions, and how they understand the consequences for them.

So, it is a variety of all of those strategies.

Senator THURMOND. Do you know of any letters that have been written to the parents or any meetings that have been held with the parents to tell them they are going to be held responsible, as well as their children?

Mr. STEPHENS. Yes, sir; there is a great example of that. In Honolulu, when a youngster is truant for more than 4 hours from school, the parents of that youngster receive a letter asking them to appear at whatever school it is—maybe it is the Dole Intermediate School—on Saturday morning at 8 a.m., and the parent is required to attend that Saturday program with the student. It is conducted by local law enforcement. It is a rather innovative approach. I don't know about you, but if I got a letter from the chief of police, I'd be inclined to show up for that meeting, and they are doing it over there in Hawaii——

Senator THURMOND. That's in Hawaii. What are you doing in California?

Mr. STEPHENS. In California, there's a variety of other alternatives that are done on a local level. This was just an example of a

local one. I can't speak for what every school district might be doing there. There are about 1,000 of them in the State. But it is something that is left up to each school administration to determine how they are going to involve parents in their school.

The closest we have come in California has been a bill that allows for businesses to provide up to 4 hours of release time for each child that they have to spend that time in the school with their children.

Senator THURMOND. I just believe there has got to be more responsibility placed on the police departments, the schools and the parents to bring this matter in check, to get it under control. Do you agree with that?

Mr. STEPHENS. Absolutely.

Senator THURMOND. Do all of you agree with that?

Mr. VINOKUR. Yes, sir.

Mr. BYRNE. Yes.

Senator THURMOND. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Let me stick with you for a minute, Mr. Stephens, if I may. You made reference to teaching teachers. My recollection is from two surveys done in your State which are, I think, representative, if my memory serves me correctly—I did these in another context in another committee—back in the early seventies, when teachers in your State were asked what are the four most important problems they faced in the schools as teachers, they listed the following four items: chewing gum in class, running in the hallways, smoking on school grounds, and food fights in the cafeteria.

When asked what they believed were the four most important problems they faced in the schools in 1989, the answer was fear for their physical safety, of being shot, of being molested, of being raped; second was the presence of drugs in the classroom and drugged children—children not only selling drugs, but children in the classroom under the influence of drugs—and the list went down from there.

Now, when we talk about training teachers, in the Brandywine School District—which is nothing compared to the social dilemma and problems you face in a major inner city area, Lieutenant—and not the particular high school that Mr. Vinokur was talking about, but 2 years ago at the preliminary meetings for teachers before they started school for the year, they issued them rubber gloves—rubber gloves—now, these are people who have learned to educate children—so that if they had to break up a fight, and there was blood, they wouldn't have to worry about AIDS.

Now we are talking about teachers who are finding that school administrators do not report the incidences of guns in the schools in their school districts. Not your school district, Jack, but in another district, the teachers almost went on strike, as you will recall, because the principal would not even have arrested a young man who was found in possession of a .22 caliber automatic pistol, for two reasons—one, and his argument had some merit, our State, regardless of what Jack says, is a horrible State in terms of the alternatives they have. You have no alternative, Jack; the honest to God truth is you either expel the kid and he goes to reform school, or you keep him in the school. But you are trying to come up with

alternatives. Most other States have a greater social consciousness and provide for alternatives somewhere between reform school and keeping the child who causes trouble in school. That's a heck of a thing to say about my State, but it really angers me.

But I speak to the juvenile justice judges, Lieutenant, in my State and in other States, and they say, well, we criticize the school districts for not reporting these things; and I speak to the principals and they ask, why do we report them. They get arrested, they go into the juvenile court, the juvenile court only has one option in many States, to put them in reform school. There is no room in the reform schools, so they make the principals take them back into the classroom. The principal then has to tell the teacher, "I can't help you. I can't keep this kid," who pulled a meat axe out on you, literally, which has happened to teachers I know, personally, in Delaware—meat cleavers or guns or whatever—"I can't keep that child out of your room."

So the principal then says, "I lose all respect of my teachers because I can't control it, because the court makes me do it," et cetera.

How do you deal with it in Chicago when you grab these kids, and they have guns in their possession, or they have used these guns in a felonious manner beyond mere possession in the school? What happens in Chicago? Do they get put back in school, or do they go to reform school?

Mr. BYRNE. Last year at a particular high school, a kid was arrested with a gun, and the very next day, that person walked back into the school. If it weren't for a union representative teacher who was in that school to raise issue about this, we would still be in a dilemma.

We didn't want that kid to go back into the school. I didn't know he went back into the school the next day until this union teacher called me, and he started a drive for suspensions and expulsions.

Since that time, we have been to a number of expulsion hearings in the board of education to expel these kids from school. What happens to them from that point on, I can't tell you, Senator, because truthfully I don't really care. As long as that kid who has a gun in school is out of the school, that's what our job is, to get them out of the building.

The CHAIRMAN. Dr. Stephens.

Mr. STEPHENS. If I might add, one particular alternative school that we visited this year in Milwaukee, WI had six individuals who had murdered someone whom the court had assigned back to school as a condition of probation. So it is very often an exchange process that goes back and forth. We certainly need to continue the education of these youngsters, but looking at some alternative settings where there can be much closer supervision to protect the lives of the other children and teachers is extremely important.

The CHAIRMAN. Dr. Stephens, when I was in graduate school, in order to earn additional money, I was a student teacher. I taught in the Syracuse public school system where, at that time, in the sixties, as you will know better than I and Jack will know better than I, there was among educators the notion that there should be something between expulsion, the street, and reform school, and staying in the same school setting. There used to be alternative

schools where, in other words, the kids who were the incorrigible kids all got sent to one school, or several schools. As you might guess, those schools always had a high percentage of teachers absent, which meant that guys like me, who were substitute teachers, always worked. And I literally rearranged my law school schedule, which I didn't pay much attention to, either—to my own shame—to pick up the extra then $30 per day to teach.

Now, I am not an educator, and I do not pretend to have an expertise, but is there any move among educators and those who are the education scholars and educators of our educators to talk about alternatives that exist somewhere between mainstreaming a child in the school system where it makes it very difficult for a teacher to maintain control and decorum in the classroom and the only other alternative, which is not good alternative, putting the kid on the street with no supervision, or in a reform school, where we have found that doesn't work very well?

With your organization as, in a sense, a bit of a clearinghouse for these ideas, what is going on in the country—if there is anything going on—to try to deal with that interim step between no longer being mainstreamed and not being put in a reform school?

Mr. STEPHENS. There are some major concerns about that, all the way from New York to Florida. For instance, in New York, Chancellor Fernandez who is working in that district now, has just recently proposed establishing some borough academies which would address some of the serious habitual offender types.

I think there are a lot of things that we have not really analyzed—well, we have probably analyzed them pretty well—but we know that it is a very small percentage of youngsters causing a majority of the problems, 1 to 2 percent of the kids. And one of the effective strategies that will make a difference is if we can target those individuals, bring together a group of educators who are out there in the trenches, and have them work on developing some strategies and plans, because these teachers want to get these kids out of the schools because they can't teach. Everyone becomes victimized in the school.

One teacher in North Carolina, a veteran of 18 years, her mother had offered to buy out her teaching contract if she would just leave. That was the motivation that she had—and she is the kind of teacher whose class you would love to have your kids in. Some of our best people are leaving because of that.

So I think if we can address some ways of dealing with the serious habitual offenders, it would be a real positive step in this process.

The CHAIRMAN. We are somewhat limited up here. I read about the powerful chairman or the powerful ranking member of the powerful Judiciary Committee. We have no power over the States out there, as a practical matter, because education is and should be a local matter. It is very difficult for us to move.

Jack, I thought your statement was particularly insightful about the self-esteem of these kids; and your comment, Dr. Stephens, about the notion of revenge. Someone very close to me was conducting an English class at the beginning of this year, and the subject of the class was a book, a classic, that she had the students read, and the issue was revenge and how we deal with the notion

of revenge. So, after they had read this particular novel, she asked the class, "What do you think about revenge? What do you do? Do you think revenge is right or wrong?" The class uniformly said, oh, yes, revenge is a good thing. She asked, "Well, what do you do?" And in this class of about 22 kids, she said 15 or 16 in a row spoke up and said the following: "We go home and get our piece."

She asked, "Piece of what?"

They said, "Our weapon." They said "We go home and get our weapon—because no one is going to put us down. And you know, if we don't have a weapon"—and this teacher, who is a veteran of 16 years, was startled to hear this discussion in English class, that the way to deal with being wrong is to seek revenge, and the vehicle used to seek revenge by about two-thirds of the class, volunteered—now, let's assume 80 percent of it was bravado. At least somebody in that class was serious about the notion that today, you had to have a "piece." I have forgotten the slang expression they used. I think they called it a piece; it may have been some other slang expression. It's just amazing to me that we have come to that.

Let me ask you all a question. There is one minute left for me to get over and vote, which means I am going to have to rely on their good graces to hold the vote for me. And I know you have all come from some distance. I have a few more questions, and I am delighted to come back and give you a chance to respond, but if you have a scheduling dilemma where you need to catch a train or a plane, I fully understand that you may have to leave, and I will submit the questions to you in writing. But I am going to now recess this hearing for about 12 minutes so I can go to the floor of the Senate and vote, and then I'll come back. If you are here, fine; we will continue. If not, I will submit the questions to you in writing. And I fully understand, in light of the delay—oh, wait a minute. I'm sorry. I have just been told there are four votes in a row, which means it will take literally over 45 minutes to conduct just the roll call votes.

I think what I'll have to do is I have about seven or eight questions for each of you, and I would like to submit those to you in writing, because otherwise, we wouldn't get back here until close to 5. I do apologize. We only have 3 days left in the Senate session, so everything is being stacked up at the end here.

I would like to be able to call on each of you again, not necessarily asking you to come all the way here, and I'm particularly interested, Dr. Stephens, in learning more about what your organization is doing to determine what is being done around the country.

And I want to tell you something, Lieutenant. This Senate is going to vote tomorrow on something that provides for significant increases in funding for local policy, and we'd better get it done, because you guys are getting your brains kicked out. Everybody is looking at you as if somehow you, the police, are the reason why we don't have safer streets. The fact of the matter is your guys and your women are getting shot and killed, and you need more help. With a little bit of luck, we'll be able to provide that if this crime bill passes tomorrow. But I want to thank you for what you do.

And Jack, I want you to promise you won't tell my wife I used any examples that relate to her classrooms, because I'll be in deep trouble bringing her into this.

Mr. VINOKUR. I guarantee you I won't do that, Senator.

The CHAIRMAN. And Jack, I know I can always get you directly, and I appreciate your willingness to come down.

So I'll submit these questions to you in writing, and at your leisure within the next 10, 12 days, if you would answer them, I'd appreciate it very much.

But this is only the first of what are going to be a number of hearings on this issue because we cannot let this go unattended. I think the public is probably shocked to hear what we all know. We used to expel students for cheating. Now we consider expelling kids if they are carrying a handgun.

Anyway, I thank you all for being here, and the hearing is adjourned.

[Whereupon, at 3:50 p.m., the committee was adjourned.]

APPENDIX

Statement of Michael K. Beard
President Coalition to Stop Gun Violence

I would like to thank Chairman Biden and the Judiciary Committee for allowing me, on behalf of the Coalition to Stop Gun Violence, the opportunity to express our concerns regarding the growing problem of children and handguns.

The Coalition to Stop Gun Violence is comprised of 34 national organizations working together to reduce the yearly carnage caused by easy access to handguns.

Today's hearing is about easy access to handguns by those who should have no access at all--children. Other witness will be able to describe to you the statistics of how often children use guns, how often children are injured with handguns and how many children are killed each year simply because a handgun was readily accessible. I know these numbers are too high.

It seems to me that handgun deaths among children can be separated into two broad categories. The first usually involves small children who happen upon their parents handgun which is in most instances kept in the home to protect the family.

The second broad group tends to involve older kids who have a greater understanding of the dangers of firearms but use them anyway. Often these kids have become gang members and have become entwined in a seemingly endless cycle of violence. When considering this group it is important to remember that most of these gang members are still kids and that the "collateral damage" they inflict often affects the so-called "good kids."

It is the first group which I mentioned, the seemingly innocent children, who gather most of the sympathy and attention

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from the news media and the public. It is also an easier problem with which to deal. Unfortunately, many of the proposed solutions, including ones offered by the Coalition, miss the target. Too often we focus on ways of alerting children to the dangers of firearms while ignoring their parents.

Educating parents on the dangers of keeping a handgun in the home is the only way to reduce and eliminate the tragedy of kids killing themselves and their playmates with the family's self defense handgun.

Some will suggest teaching the parents handgun safety or safe storage procedures will reduce the likelihood of accidental deaths of children. Well, let me say as a former child myself, that children tend to find anything no matter how well hidden in the home. Furthermore, a study published in the June 10, edition of the Journal of the American Medical Association indicates that having completed a handgun safety class does not make a gun owner more likely to properly store his or her weapon.

This makes sense for rather obvious reasons. Safety procedures call for storing firearms unloaded in locked containers away from ammunition. This not only makes the gun safe, but useless. After all, is the homeowner expected to throw the bullets at the intruder against which he or she bought the handgun to protect?

What people need to realize is that handguns are rarely ever used as effective means of protection. Instead handguns are far more likely to be used to kill loved ones than an intruder. Most homes are burglarized when no one is home and often the first

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item taken is the family's handgun. Public health studies indicate that a handgun kept in the home is 43 times more likely to kill its owner, family member or friend, than an intruder.

The conclusion is this: If you want to prevent fatal and non-fatal childhood gun accidents, you must keep guns away from children. And the only way to do so is to convince parents that by keeping a handgun in the home, rather than protecting the family, endangers them.

Another approach would be to support legislation that would not simply restrict but ban handgun ownership. Parents can only make sure that handguns are kept out of their own homes. They have no way of knowing their children will be safe in their neighbors home.

This past summer the Coalition worked with Senator John Chafee in drafting the "Public Health and Safety Act of 1992." We are not naive enough to believe this bill will be passed anytime soon, but nevertheless we urge Senators to consider it as the only comprehensive way to address the problem of children and guns.

These proposals become more difficult to enact as urban violence, much of it involving children, spreads to areas once thought safe. As lawlessness and random violence spread throughout the US it will become more and more difficult to convince frightened individuals not to buy handguns. The cycle of violence will thereby be perpetuated as more handguns are introduced into society.

Ways of reducing gang violence and other similar violent instances present a more vexing problem. For at least a decade the problems of the inner-city have been virtually ignored by the federal government. This neglect combined with other factors, about which there is much disagreement, have created a sense of desperation and hopelessness among many urban youth. A generation of young people has grown up in poverty without a decent education, or any sense of hope that the future will offer anything better. For an excellent overview of this life I would urge all Senators to read Alex Kotlowitz' "There Are No Children Here."

Spreading lawlessness and a general breakdown of societal norms as evidenced by the recent rash of carjackings and other brutal, senseless murders have instilled fear throughout the region. Many friends of mine have expressed a desire to leave the area for what they believe to be the safer hinterlands. However, I doubt spreading violence is a problem from which we can run.

It has been suggested that what is needed to refurbish and restore our cities is an urban Marshall Plan. The Coalition to Stop Gun Violence does not itself take a position on any matter not directly related to gun violence, however, many of our member organizations are working with you on these critical matters. We do feel that in order to address the myriad problems of the inner-city and save the next generation of young people the first step must be to reduce and eventually eliminate access to handguns.

This week the Senate has the opportunity to pass the Brady Bill. While no panacea, the addition of the mandatory background check to the waiting period gives the Brady Bill the potential to have a real effect on reducing gun violence. The legislation will help prevent gun-running and in turn make more effective local statutes in jurisdictions which have already taken strong steps to curb gun violence.

Much more needs to be done. Federal gun dealers licenses must be made more difficult to obtain, multiple sales of handguns should be limited, second-hand sales made only through licensed dealers and eventually a handgun ban should be considered. Remember, the Marshall Plan wasn't enacted until after the shooting had stopped.

Coalition to Stop Gun Violence

Participating Organizations

American Association of Suicidology

American Ethical Union

Americans for Democratic Action

American Jewish Committee

American Jewish Congress

American Psychiatric Association

American Public Health Association

B'nai B'rith Women

Board of Church and Society,
United Methodist Church

Center for Science in the Public Interest

Central Conference of American Rabbis

Church of the Brethren, Washington Office

Council of Great City Schools

Friends Committee on National Legislation

International Ladies' Garment Workers Union

Jesuit Conference--Office of
Social Ministries

National Association of Social Workers

National Council of Jewish Women, Inc

National Council of Negro Women

National Jewish Welfare Board

National Urban League, Inc

The Bible Holiness Movement,
International

Pan American Trauma Association

The Responsive Community

Social Justice and Peacemaking Ministry
Unit, Presbyterian Church (USA)

Public Affairs Committee,
Women's National Democratic Club

Union of American Hebrew Congregations

Unitarian Universalist Association

United Federation of Teachers

United States Conference of Mayors

United States Student Association

United Synagogues of America

Women's League for Conservative Judaism

Young Women's Christian Association of
the USA, National Board

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